

Minutes of the September 20, 2016 meeting of the Board of Trustees of the Village of Newark held in the 2nd floor court room of the Municipal Building at 6:00 PM.

PRESENT

Mayor Jonathan Taylor (23); Trustees: Robert Bendix (22), Stuart Blodgett (19), Alan Schober (24), and Kurt Werts (21).

Police Chief David Christler, Village Clerk/Treasurer Steve Murawski, Code Enforcement Officer Mark Peake, Fire Chief Gerry VanDeWalle, AECC Executive Director Mike Muscolino, and Attorney Art Williams.

General Public: 8

WELCOME BY
MAYOR

At 6:04 P.M., Mayor Taylor led the gathering in the Pledge of Allegiance to open the meeting.

APPROVAL OF
MINUTES

Motion Trustee Werts, seconded Trustee Bendix and carried unanimously to approve the following minutes:

- Regular Board Meeting August 16, 2016.
- Special Board Meeting August 26, 2016.
- Special Board Meeting September 6, 2016.
- Special Board Meeting September 8, 2016.

CONSENT
AGENDA

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to approve the September vouchers and invoices which Trustee Schober reviewed for reasonableness and which were submitted for payment approval. Payments totaling \$652,836.55 were authorized for all funds.

The Board thanked the department heads for their monthly reports.

FIRE CHIEF
VANDEWALLE

Fire Chief VanDeWalle spoke on the following:

- Annual department inspection is October 15th.
- Jaws of Life equipment serviced.

Motion Trustee Blodgett, seconded Trustee Schober and carried unanimously to approve the clambake fundraiser for Arcadia Hose Co #2 on September 25th.

PUBLIC
HEARING
RESTORE NY

Mayor Taylor opened the public hearing on the proposed Restore NY Grant application by the Village on behalf of the St. Michael's Senior Living Apartment project at 6:12 P.M. Consultant Gary Hallock provided some details of the project on behalf of 3 D Development Corp.

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Trustee Bendix asked about the timing of funding notification, if approved. Trustee Werts asked about the probability of the application being funded. Trustee Blodgett asked about income level qualifications for potential residents. A member of the public asked about the installation of an elevator at the location. Hearing no other comments or questions, Mayor Taylor closed the Public Hearing at 6:18 P.M.

Motion Trustee Bendix, seconded Trustee Werts and carried unanimously to support the following resolution: “The St. Michael’s Senior Living Apartment Project is consistent with the Village of Newark’s Master Comprehensive Plan (Urban Development plan), the proposed financing is appropriate for the specific project, the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources, and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities where applicable.”

AECC DIRECTOR
MIKE
MUSCOLINO

Mr. Muscolino spoke on the following:

- Spoke on handout noting different activities currently at AECC.
- Rochester Philharmonic presenting Annual Christmas performance at the Newark High School on December 2nd.

Motion Trustee Werts, seconded Trustee Schober and carried unanimously to approve the expenditure of an additional \$1,000.00 by the AECC for the Halloween and Christmas parties.

CODE
ENFORCEMENT /
ECONOMIC
DEVELOPMENT

Mr. Peake spoke on the following:

- New businesses that have recently moved into the Village.
- Timberline Hardwood Floors has received approval from Planning and Zoning Board for their business on E. Maple Ave. at old florist location.
- Opening on Planning Board; the Board will discuss potential candidates.

FOOD RODEO

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve Food Truck Rodeo II on September 29th from 2:30-6:30 P.M. at the Farmer’s Market location; music will start at 3:30.

TRUSTEES
VEHICLES AND
BOATS ON
LAWNS

Trustee Werts brought up the matter of Village residents parking their licensed boats and vehicles on their front lawns. Code Enforcement Officer Peake also noted that a resident has multiple tractors parked on their back lawn. The Board consensus is that the Code Office needs to get a more accurate assessment of the number of these situations in the Village at the present time. Attorney Williams noted that it would be problematic to require no parking on front lawns since there is no over-

night parking allowed on Village Streets.

CLERK/
TREASURER

Clerk/Treasurer noted that Bonadio & Co. will be attending the October 2016 meeting to present the Fiscal Year 2016 Financial Statements and Audit report. There are no issues that will be reported at that time.

MAYOR

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to declare surplus four Jeep rims and 2 backhoe tires and to dispose of them at FMV at the Monroe Co. auction in October.

PARKING LOT
USAGE POLICY

Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the amended Village of Newark Parking Lot Usage Policy:

1. Lessee must provide a current certificate of insurance not less than \$1,000,000.00 naming the Village of Newark as an Additional Insured. The Food Vendor must provide the same.
2. Lessee must be a Not for Profit entity, volunteer entity, or a school group/school sports team for an approved fundraising purpose.
3. Lessee can only request use of parking lot once a calendar year.
4. Lessee must not post signs that would obstruct or interfere with motor vehicle traffic.
5. Lessee must clean up after parking lot usage.
6. Lessee must not place any garbage in Village owned receptacles.
7. Vendors shall not allow anything to be discharged into storm sewers.
8. Lessee shall not block the parking lot nearest the crosswalk.

SEQRA FOR NYS
SAM GRANT
APPLICATION

A motion was made by Trustee Blodgett and seconded by Trustee Schober to designate the Village of Newark Planning Board as Lead Agency for purposes of the State Environmental Quality Review Act for the SAM grant for Colburn Park.

Vote of the Board: Bendix – Y (Yes), Blodgett - Y, Schober - Y, Werts - Y, and Mayor Taylor - Y.

The Village of Newark Planning Board was designated as Lead Agency for purposes of the State Environmental Quality Review Act for Colburn Park.

A motion was made by Trustee Bendix and seconded by Trustee Werts to designate the Village of Newark Planning Board as Lead Agency for purposes of the State Environmental Quality Review Act for the SAM grant for Hallagan Field.

Vote of the Board: Bendix - Y, Blodgett - Y, Schober - Y, Werts - Y, and Mayor Taylor - Y.

The Village of Newark Planning Board was designated as Lead Agency for purposes of the State Environmental Quality Review Act for Hallagan Field.

A motion was made by Trustee Werts and seconded by Trustee Blodgett to determine that implementing the Improvements at Colburn Park at 1160 East Union St., Newark, New York under the SAM grant will not have a significant effect on the environment and should be considered as an Unlisted Action, and therefore a Negative Declaration will be prepared and filed, as required by the SEQRA regulations.

Vote of the Board: Bendix - Y, Blodgett - Y, Schober - Y, Werts - Y, and Mayor Taylor - Y.

The Village of Newark Board determined that implementing the Improvements at Colburn Park at 1160 East Union St., Newark, New York under the SAM grant will not have a significant effect on the environment and should be considered as an Unlisted Action, and therefore a Negative Declaration will be prepared and filed, as required by the SEQRA regulations.

A motion was made by Trustee Bendix and seconded by Trustee Schober to determine that implementing the Improvements at Hallagan's Field at 525 E. Maple Ave., Newark, New York under the SAM grant will not have a significant effect on the environment and should be considered as an Unlisted Action, and therefore a Negative Declaration will be prepared and filed, as required by the SEQRA regulations.

Vote of the Board: Bendix - Y, Blodgett - Y, Schober - Y, Werts - Y, and Mayor Taylor - Y. The Village of Newark Board determined that implementing the Improvements at Hallagan's Field at 525 E. Maple Ave., Newark, New York under the SAM grant will not have a significant effect on the environment and should be considered as an Unlisted Action, and therefore a Negative Declaration will be prepared and filed, as required by the SEQRA regulations.

Motion Trustee Schober, seconded Trustee Bendix and carried unanimously to approve the "No Smoking" Policy of the Village of Newark.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the Annual Homecoming Parade for the Newark High School on September 30th starting at 5:30 P.M.

Motion Trustee Bendix, seconded Trustee Werts and carried unanimously to authorize the attendance of either Jeff DeCann or Doug Townsend to the NYCOM Public Works Training School October 16th-19th in Geneva, New York. The two supervisors will decide which one will go to the school.

Motion Trustee Bendix, seconded Trustee Werts and carried unanimously to schedule a Public Hearing at 6:10 P.M. on October 18, 2016 for the proposed changes to Village Code Section 96.

Mayor Taylor noted the following:

- The Board received a packet from Supervisor Townsend on a proposed elevator upgrade from Otis Elevator to review. He noted that the Village had started working on this over a month ago because we recognized the potential for the elevator's failure due to its age. They are to review the proposal in preparation for discussing it at the October 2016 Board meeting.
- The Village is going forward with applying for a grant to help install sidewalks on Wood Lane from the Newark Middle School to Grace Avenue. The minimum grant amount that will be accepted for consideration is \$250,000.00; the estimated cost for the proposed Village project is around \$500,000. Mayor Taylor also noted that Arcadia Supervisor Verkey notified him that the Town is also working with an engineer on a similar project; he proposes to pave Wood Lane from Filkins Rd. in the Town of Arcadia to Grace Avenue in the Village. Supervisor Verkey stated that the estimate he received for his proposal is \$500,000.00, with the Newark Central School District, the Town of Arcadia and the Village of Newark each paying one-third of the required 20% match of \$100,000.00. Mayor Taylor noted that the Village would, in either scenario, plan on replacing the old water transmission lines that run along Wood Lane while the ground was dug up.
- The Mayor also noted the ceremony that was held on August 27, 2016 at the East Newark Cemetery honoring Medal of Honor recipient James Hill for his service during the U.S. Civil War. He wanted to publically thank DPW supervisor Doug Townsend and Cemetery Deputy Clerk Lynette Morrison for their work and diligence in helping to find the location of and the actual grave stone that had become buried over time.
- Mayor Taylor noted that Clerk/Treasurer Murawski received the Certified Municipal Finance Officer designation from the NYS Society of Municipal Finance Officers at the NYCOM Fall Training School.

LEGAL Attorney Williams noted that the property transfer closing for the New-cut building project in the Village Industrial Park on West Shore Blvd. would be held this Friday, September 23, 2016 in Binghamton, N.Y.

POLICE CHIEF Motion Trustee Bendix, seconded Trustee Blodgett and carried unanimously to approve the training request for Inv. VerStraete and Officer DeBoerdere to attend the Fire Investigator training in Montour Falls, New York from November 2nd-4th at a total cost of \$603.00 for both.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the training request for K-9 Officer Weegar to attend the annual K-9 Training School from November 14th-18th at a cost of \$150.00 for meals only. The money will be advanced to Officer Weegar because the officers take turns buying the meals while they are at training.

Motion Trustee Schober, seconded Trustee Werts and carried unanimously to approve the training request for Officer Kuhn to attend the three one-day training seminars on Law Enforcement Mentoring (10/4/16), Internal Investigations (Date TBD), and Pre-Employment Background Investigations (Date TBD). Office Kuhn waived all rights to overtime while traveling; he has also passed the Sergeant's exam and is reachable on the promotion list until August 2017.

Motion Trustee Bendix, seconded Trustee Werts and carried unanimously to schedule a Public Hearing on October 18, 2016 at 6:20 P.M. to discuss proposed changes to Village Code Section 140 related to School Zone Speed Limit times.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to approve the usage of the Police Chief's vehicle by Chief Christler to attend the annual State Police graduation ceremony.

After much discussion and debate by the Board and Police Chief, motion Trustee Werts, seconded Trustee Bendix and carried unanimously to approve the purchase of the Emergency Lighting Equipment from NYSPEL at a cost not to exceed \$8,700.00 for the new police vehicle being assembled.

TRUSTEES None of the Trustees had anything for Open Session.

TIME FOR THE PUBLIC No one from the public wished to speak or address the Board.

EXECUTIVE Motion Trustee Blodgett, seconded Trustee Bendix and carried unani-

SESSION mously to go into Executive Session at 7:45 P.M. to discuss specific individuals within the Police Department.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to come out of Executive Session at 7:58 P.M.

AWARD 207-c STATUS Motion Trustee Blodgett, seconded Trustee Werts and carried unanimously to award the requested 207-c status to Officer Dwello for his work related injury incurred on July 29, 2016.

ADJOURNMENT The Board also discussed the proposed changes to the Village policy concerning dumping of yard waste at the DPW Operations Center on Wood Lane.

Motion Trustee Blodgett, seconded Trustee Bendix and carried unanimously to adjourn the meeting. The meeting was adjourned at 8:03 P.M.

Stephen Murawski,
Village Clerk-Treasurer